

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS ALBERTO URIBE LODONO
Defendant.

Criminal No. 00-92(JAF)

**UNITED STATES OF AMERICA'S MOTION IN RESPONSE TO DEFENDANT'S PRO
SE MOTION TO SHOW CAUSE**

TO THE HONORABLE COURT:

COMES NOW, the United States of America, by and through its undersigned attorneys, and very respectfully states and prays as follows:

Defendant has filed a motion with the Honorable Court, mis-representing that the United States has failed to comply with the Court's order to return to defendant the property not related to this case.

The United States submits that it has complied with the order of this Court, returning all the property not related to this case to defendant's assigned representatives.

Factual Background

On July 10, 2002, defendant was sentenced to a concurrent term of imprisonment of 120 months on each count of the indictment charging him with sexual exploitation of children, in violation of Title 18 United States Code Section 2251(a), a fine of \$15,000.00, Special Monetary Assessment of \$200.00 and a 3 years term of supervised release.

On March 28, 2003 defendant filed the first of a series of motions requesting the return of property seized at the time of his arrest, which included the camera and, the tripod he used to film

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children engaging in sexually explicit conduct. Defendant additionally requested the return of address books and agendas which contained the names and addresses of minors in Brazil, among other countries. Moreover, defendant requested the return of property that did not even belong to him but to his then employer, Banco Interamericano (World Bank) in Washington D.C.

This Honorable Court requested and received an inventory of the property seized from defendant and ordered the return of the property not related to the case.

United States' Compliance

Since September 16, 2003, the United States had attempted to return the property not related to the case to defendant and obtain the information as to whom defendant's property was to be delivered, without much success. In the meantime, defendant kept requesting the return of items that are evidence in the criminal case, such as the cameras, video cameras, address books containing names and addresses of minors, and other items that are directly related to the crime committed.

On January 30, 2004 a person by the name of Betzaida Castro contacted Agent Torres, on behalf of defendant's daughter, to inform that she would be picking up the property to be returned to defendant. On February 24, 2004, Betzaida Castro picked up defendant's items that were not related to the case as ordered by the Court. (See Exhibit 1 - Fax sent , identification and receipt of property)

Lastly, on February 25, 2004, Agent Torres delivered defendant's passport to the Immigrations Department at Tabonuco Street, Guaynabo , Puerto Rico, since defendant is a citizen of Brazil.(See Exhibit 2-Receipt for Passport)

The United States submits that the remaining evidence in the possession of the FBI is either

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contraband, such as marihuana, or evidence that is considered case related..

WHEREFORE, the United States of America respectfully requests that this Honorable Court to take notice of the aforementioned and DENY defendant's request for an order to show cause.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22 of February, 2005.

H.S. GARCIA

United States Attorney

/s Maritza González de Miranda
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this date I electronically filed the foregoing with the Clerk of the Court using CM/ECF system and sent a true and correct copy of the foregoing motion to: Jesus Uribe, Inmmate No. 18870-069, Housing Unit 5751, Federal Correction Institution, P.O.Box 2000, Fort Dix, N.J. 08640.

/s Maritza González de Miranda
Maritza González de Miranda
Assistant U.S. Attorney